

Serial No. 09/476,290

**REMARKS**

The claims have been restricted into three groups of invention as follows:

- Group 1: Claims 1-3, 6-10, and 18-21 human neurturin growth factor
- Group 2: Claim 61 method for detecting growth factor with antibodies
- Group 3: Claim 62 kit with antibodies

The above restricted claims are not the claims that Applicants intended to present to the USPTO for examination in the present application. Applicants had presented the above restricted claims at the time of filing the present application. However, before any examination commenced, Applicants submitted a preliminary amendment under 37 C.F.R. 1.115, which cancelled the above restricted claims and presented new claims 99-126 for examination. Applicants submit herewith a copy of the filing receipt and the preliminary amendment. Applicants respectfully request that the Office examine claims 99-126 and issue a new office action for these claims.

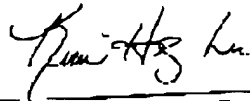
Nevertheless, to comply with 37 C.F.R. 1.143, Applicants hereby provisionally elect Group 3. Again, Applicants did not intend to prosecute any of the above restricted claims. Instead, Applicants wishes to prosecute claims 99-126 in the present application.

Serial No. 09/476,290

CONCLUSION

Applicants believe they have complied with the Examiner's restriction requirement. Applicants respectfully request that the Office issue a new office action that addresses claims 99-126 and cancel or disregard the present restriction requirement.

Respectfully submitted,



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09/476,290      6029-2669

Serial No. \_\_\_\_\_ Reg. No. \_\_\_\_\_

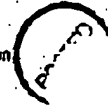
Title/Trademark: Leurturin and Related Growth Factors

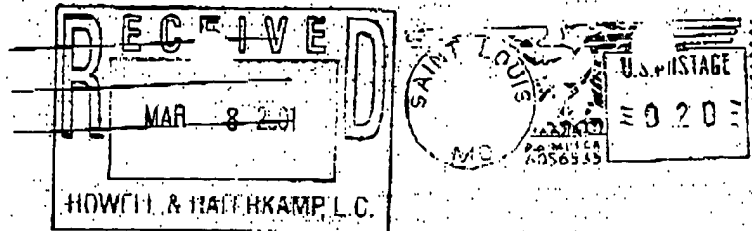
In the Matter of Johnson et al. (Washington U.)

The following has been received there on the date stamped hereon:

2-23-01 (1be)

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Affidavit under Section 4 & 15	<input type="checkbox"/> Declaration & Power of Attorney
<input checked="" type="checkbox"/> Amendment (Preliminary)	<input type="checkbox"/> Petition
<input type="checkbox"/> Assignment	<input type="checkbox"/> ID
<input type="checkbox"/> Maintenance Fee Transmittal	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Check #36985 \$144.00	<input type="checkbox"/> Renewal Application
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Trademark Application
<input type="checkbox"/> Drawings _____ Sheet(s) (Format: _____)	<input type="checkbox"/> Patent Application
<input type="checkbox"/> Notice of Opposition	<input type="checkbox"/> Response
<input type="checkbox"/> Letter	<input type="checkbox"/> Specimen <b>MAR 08 2001</b>
<input type="checkbox"/> Motion	<input type="checkbox"/> Small Entity
<input checked="" type="checkbox"/> Transmittal (in duplicate)	





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09/11/290 Reg. No. Do. No. 6029-2669

Serial No. Neurturin and Related Growth Factors

Title/Trademark Johnson et al. (Washington U.)

In the Matter of Johnson et al. (Washington U.)

The following has been received there on the date stamped hereon:  
2-23-01 (1be)

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Affidavit under Section A & 15	<input type="checkbox"/> Declaration & Power of Attorney
<input checked="" type="checkbox"/> Amendment (Preliminary)	<input type="checkbox"/> Petition
<input type="checkbox"/> Assignment	<input type="checkbox"/> IDS
<input type="checkbox"/> Maintenance Fee Transmittal	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Check #36985 \$144.00	<input type="checkbox"/> Renewal Application
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Trademark Application
<input type="checkbox"/> Drawings - Sheet(s) (Formal; Informal)	<input type="checkbox"/> Patent Application
<input type="checkbox"/> Notice of Opposition	<input type="checkbox"/> Response
<input type="checkbox"/> Letter	<input type="checkbox"/> Specimens
<input type="checkbox"/> Motion	<input type="checkbox"/> Small Entity
<input checked="" type="checkbox"/> Transmittal (in duplicate)	

36985

/ELL &amp; HAFERKAMP, L.C.

COUNSELORS AT LAW  
3/2001

Office Date

Commissioner of Patents &amp; Trademarks

Reference No.

Description

Johnson et al. (Wash U) Amendment

Matter ID  
6029-2669Amount  
144.00

3/2001

144.00

TOTAL PAID INVOICES

36985

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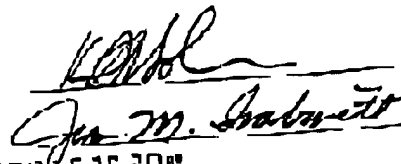
Matter ID: 6029-2669

Express Mail/Invoice Number:

MEMO: S/N 09/1476,290

DATE  
2/23/2001AMOUNT  
\$\*\* 144.00

One Hundred Forty-Four &amp; No/100 Dollars

PAY  
TO THE  
ORDER  
OFCommissioner of Patents & Trademarks  
Washington, D.C. 20231


"036985" COB 10002100

199905262000

PATENT

Docket Number: 6029-2669

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to BOX FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 23, 2001

*Elie H. Gendloff*  
Elie H. Gendloff  
Reg. No. 44,704

Examiner: unknown

Group Art Unit 1649

In re Application of: Johnson et al.  
Serial No.: 09/476,290  
Filed: December 30, 1999  
For: NEURTIRIN AND RELATED GROWTH  
FACTORS

BOX FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## AMENDMENT TRANSMITTAL LETTER

Transmitted herewith is an amendment in the above-identified application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDED FEE
TOTAL	28	20	8	\$18.00	\$144.00
INDEP.	1	3	0	\$80.00	\$ .00
TOTAL FEES FOR ADDITIONAL CLAIMS					\$144.00

A petition for a month extension of time is enclosed.

If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 18 1829 accordingly.

A check in the amount of \$144.00 is attached.

No additional fee is required.

Please charge any deficiencies or credit any overpayment to Deposit Account 18-1829. A duplicate copy of this sheet is attached.

Respectfully submitted,

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

St. Louis, Missouri  
February 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.  
20231 on February 23, 2001.

  
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In re application of:  
Johnson et al.

Serial No.: 09/476,290

Filed: December 30, 1999

For: NEURTURIN AND RELATED  
GROWTH FACTORS

Examiner: unknown

Group Art Unit 1649

Assistant Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

This paper is submitted as a preliminary amendment to correct for inaccuracies in the citation of figures in the description, to delete all reference to figures that were not included in the application-as-filed and to present new claims that are more clear and distinct. The applicant respectfully requests that the application be amended as indicated and the remarks be entered in this case.

IN THE SPECIFICATION:

On page 59, line 20, please replace "11" with --12--.